

UNITED STATES DISTRICT COURT  
District of Maine

BARBARA JOHNSON,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Civil No. 03-68-P-S
	)	
UNUMPROVIDENT CORPORATION,	)	
and	)	
UNUM LIFE INSURANCE COMPANY	)	
OF AMERICA,	)	
	)	
Defendants.	)	

**ORDER AFFIRMING THE  
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge filed with the Court on June 27, 2003 her Recommended Decision. The Defendants filed their objections to the Recommended Decision on July 16, 2003, and Plaintiff filed her response to those objections on August 15, 2003. I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in her Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore ORDERED that the Recommended Decision of the Magistrate Judge is hereby AFFIRMED.
2. Due to the nature of the allegations, a summary judgment record should be developed. Defendants' Motion to Dismiss is DENIED.

s/ George Z. Singal  
GEORGE Z. SINGAL  
Chief U.S. District Judge

Dated this 19<sup>th</sup> day of August, 2003.

**BARBARA JOHNSON**

represented by **JON HOLDER**  
HOLDER & GROVER  
70 DEERING STREET  
P.O. BOX 4256  
PORTLAND, ME 04101  
774-2899  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

-----

**UNUMPROVIDENT  
CORPORATION**

represented by **PATRICIA A. PEARD**  
BERNSTEIN, SHUR, SAWYER, &  
NELSON  
100 MIDDLE STREET  
P.O. BOX 9729  
PORTLAND, ME 04104-5029  
207-774-1200  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**UNUM LIFE INSURANCE  
COMPANY OF AMERICA**

represented by **PATRICIA A. PEARD**  
(See above for address)  
*ATTORNEY TO BE NOTICED*